

AMENDMENT NO. _____

Signature of Sponsor

AMEND Senate Bill No. 1973*

House Bill No. 1964

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by adding to the end of Section 2(b) the following language:

The term “manufacturer” shall not include wholesalers that repack fresh produce into smaller containers for sale to retail stores or retailers that repack fresh produce into tray-ready packs for sale to consumers.

AND FURTHER AMEND by deleting from Section 5 the language “a court of competent jurisdiction” and by substituting instead the language “the chancery court of Davidson County”.

AND FURTHER AMEND by deleting the period at the end of Section 5 and by substituting instead, the language “, without the necessity of posting a bond.”

AND FURTHER AMEND by deleting from the first sentence of Section 6 the language “may impose” and by substituting instead, the language “may seek and the court may impose”.

AND FURTHER AMEND by deleting Section 7(a) in its entirety and by substituting instead the following:

(a) Any person who manufactures, assembles or packages articles containing food who has suffered or will suffer an ascertainable loss as a result of a violation of this act may commence a civil action against any manufacturer who is alleged to have violated or to be in violation of the provisions of this act.

AND FURTHER AMEND by deleting the amendatory language of Section 9 and by substituting instead the following:

The provisions of this part shall be construed in accordance with 19 U.S.C §1304 and the regulations promulgated and rulings and decision made thereunder.

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AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Nothing in this bill shall alter or amend the applicability to a wholesale or retail grocer of 19 U.S.C. §1304 and any regulations promulgated thereunder.

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